

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JOHN M. SPAHN, IRA, on Behalf of Himself )  
and All Others Similarly Situated, )

Plaintiff,

VS.

Civil Case No. 4:04-CV-00086 (HEA)

EDWARD D. JONES & CO., L.P., JOHN W. )  
BACHMANN, DOUGLAS E. HILL, )  
MICHAEL R. HOLMES, RICHIE L. )  
MALONE, STEVEN NOVIK, DARRYL L. )  
POPE, and ROBERT VIRGIL JR., )

Defendants.

**STIPULATION AND (PROPOSED) ORDER SETTING SCHEDULE FOR  
RESPONSE TO COMPLAINT FOLLOWING MOTIONS FOR  
CONSOLIDATION AND APPOINTMENT OF  
LEAD PLAINTIFF AND LEAD COUNSEL**

WHEREAS, Plaintiff John M. Spahn, filed a Class Action Complaint, Case No. 4:04-CV-86 (HEA), hereinafter referred to as the Spahn Complaint, for violations of the federal securities laws on January 23, 2004, alleging claims against Defendants Edward D. Jones & Co., L.P., John W. Bachmann, Douglas E. Hill, Michael R. Holmes, Richie L. Malone, Steven Novik, Darryl L. Pope, and Robert Virgil, Jr. (“Defendants”).

WHEREAS, Plaintiff Michael Howard filed a Class Action Complaint, Case No. 4:04-CV-118 (CAS), for violations of the federal securities laws on January 29, 2004, alleging claims against Defendants Edward D. Jones & Co., L.P., John W. Bachmann, Douglas E. Hill, Michael R. Holmes, Richie L. Malone, Steven Novik, Darryl L. Pope, and Robert Virgil, Jr.

WHEREAS, Plaintiff Frada Pasik filed a Class Action Complaint, Case No. 4:04-CV-255 (DJS), for violations of the federal securities laws on March 2, 2004, alleging claims against Defendant Edward D. Jones & Co., L.P.

WHEREAS, Plaintiff Richard H. Gerding filed a Class Action Complaint, Case No. 4:04-CV-282 (DJS), for violations of the federal securities laws on March 8, 2004, alleging claims against Defendants Edward D. Jones & Co., L.P., John W. Bachmann, Douglas E. Hill, Michael R. Holmes, Richie L. Malone, Steven Novik, Darryl L. Pope, and Robert Virgil, Jr.

WHEREAS, Defendants, pursuant to Securities Litigation Uniform Standards Act of 1998 (“SLUSA”) removed a class action previously filed by Plaintiff Rachel M. Enriquez in the Circuit Court of St. Louis City, Missouri to the United States District Court, Eastern District of Missouri. This action alleges claims against Edward D. Jones & Co., L.P., d/b/a Edward Jones, The Jones Financial Companies, L.L.L.P., and EDJ Holdings Company, Inc.

WHEREAS, on March 23, 2004, Plaintiff John M. Spahn, among others, filed a motion for consolidation and appointment of lead plaintiff and lead counsel in the above-referenced cases.

WHEREAS, the lead plaintiff shall file a consolidated and amended complaint (“Consolidated Complaint”) within 45 days from the later of the date of entry of the Court’s order appointing the lead plaintiff or lead counsel;

WHEREAS, counsel for the parties agree that the Consolidated Complaint shall be deemed the operative complaint, superceding the Spahn Complaint and that Defendants will respond to the Consolidated Complaint instead of the Spahn Complaint;

WHEREAS, counsel for the parties further agree that Defendants shall have 45 days after the filing and service of the Consolidated Complaint to answer or respond by motion to the Consolidated Complaint, and if Defendants respond by filing a motion then the lead plaintiff shall have 45 days after service of the motion to serve opposition papers and Defendants shall have 45 days thereafter to serve reply papers;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their undersigned counsel, that the lead plaintiff shall file the Consolidated Complaint within 45 days from the later of the entry of the Court's order appointing the lead plaintiff or lead counsel;

IT IS FURTHER STIPULATED AND AGREED that Defendants' time to answer or respond shall be adjourned until 45 days after the filing and service of the Consolidated Complaint to answer or respond by motion to the Consolidated Complaint. If Defendants respond by motion, the lead plaintiff shall have 45 days after service of the motion to serve opposition papers, and Defendants shall have 45 days thereafter to serve reply papers.

FINALLY, IT IS STIPULATED AND AGREED that if the court denies the motion for consolidation and appointment of the lead plaintiff and lead counsel, Defendants shall file their answer or respond by motion within 30 days after the court enters the order.

DATED: April 1, 2004

GREENSFELDER, HEMKER & GALE, P.C.

By /s/  
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John W. Bachmann, Douglas E. Hill,  
Michael R. Holmes, Richie L. Malone,  
Steven Novik, Darryl L. Pope, and Robert  
Virgil Jr.*

DATED: April 1, 2004

SAUERWEIN & BLANCHARD, P.C.

By /s/

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Attorney's for Plaintiff  
John M. Spahn, IRA, on behalf  
of himself and all others similarly situated.

IT IS SO ORDERED:

Date: \_\_\_\_\_

Judge Henry E. Autrey  
United States District Court, Eastern District  
of Missouri